

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF OSWEGO**

Index No.: _____/19

-----X
J. PAUL SCULLIN III,

**Plaintiff designates
OSWEGO COUNTY
as place of trial.**

Plaintiff,

**The basis of venue is
Plaintiff's residence address**

-against -

SUMMONS

**ROMAN CATHOLIC DIOCESE OF SYRACUSE, ST.
MARY'S ROMAN CATHOLIC CHURCH and ST.
JOSEPH'S CATHOLIC CHURCH,**

**The Plaintiff's place of
residence is 303 West 5th
Street, Oswego, NY 13126**

Defendants.

-----X


To the above-named defendants:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer or, if the complaint is not served with this summons, to serve a notice of appearance, on the Plaintiff's Attorneys within 20 days after the service of this summons, exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case your failure to appear or answer, judgement will be taken for the relief demanded herein.

**A COPY OF THIS SUMMONS WAS FILED WITH THE CLERK OF THE COURT,
OSWEGO COUNTY ON _____ IN COMPLIANCE WITH CPLR §§305(a) AND
306(a).**

Dated: New York, New York
August 14, 2019

MERSON LAW, PLLC

By: 
Jordan K. Merson
Attorneys for Plaintiff
150 East 58th Street 34th Floor
New York, New York 10155
(212) 603-9100

TO:

ROMAN CATHOLIC DIOCESE OF SYRACUSE
240 E Onondaga St.,
Syracuse, NY 13202

ST. MARY'S ROMAN CATHOLIC CHURCH
103 W 7th St,
Oswego, NY 13126

ST. JOSEPH'S CATHOLIC CHURCH
240 W 1st St,
Oswego, NY 13126

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF OSWEGO**

Index No.: _____/19

-----X
J. PAUL SCULLIN III,**Plaintiff,****-against -****VERIFIED
COMPLAINT****ROMAN CATHOLIC DIOCESE OF SYRACUSE, ST.
MARY'S ROMAN CATHOLIC CHURCH and ST.
JOSEPH'S CATHOLIC CHURCH,****Defendants.**-----X
Plaintiff(s), above named, complaining of the defendants, by **MERSON LAW,**
PLLC., respectfully allege(s):**NATURE OF THE CLAIM**

1. This is a case of plaintiff Paul Scullin who was sexually abused when he was a child by Father Francis Furfaro ("Furfaro") and Monsignor Edward G. Quaid ("Quaid") at and of St. Mary's Roman Catholic Church ("Church"), St. Joseph's Catholic Church, and Roman Catholic Diocese of Syracuse ("Diocese").
2. Quaid was a priest at St. Mary's Roman Catholic Church in Oswego, New York which was part of the Diocese. Quaid was an agent, servant and/or employee of the Diocese and utilized his position of authority with the Diocese to sexually abuse Mr. Scullin. Quaid was known among the community and the children at church as a sexual predator.
3. Furfaro was a priest at St. Joseph's Catholic Church in Oswego, New York which was part of the Diocese. Furfaro was an agent, servant and/or employee of the Diocese and utilized his position of authority with the Diocese to sexually abuse Mr. Scullin. Furfaro was known among the community and the children at church as a sexual predator.

4. Despite Quaid and Furfaro's reputations as sexual predators, the Archdiocese and Church allowed Quaid and Furfaro unfettered access to children, on Defendant's premises without supervision.
5. The diocese knew or should have known that Quaid and/or Furfaro sexually abused children and/or had the propensity to do so.
6. Beginning in approximately 1957 and continuing until 1960, Quaid, while under the scope of employment with the Diocese and while acting on behalf of the Diocese, sexually abused Mr. Scullin at confessional at St. Mary's Church in Oswego, New York. As Mr. Scullin would begin his confessions, Quaid would ask Mr. Scullin how many times he has masturbated and instruct Mr. Scullin on how to masturbate.
7. During the summer of 1960, Furfaro, while under the scope of employment with the Diocese and while acting on behalf of the Diocese, sexually abused Mr. Scullin in a hut behind the St. Joseph's Church rectory, in the St. Joseph's Church rectory, and in Furfaro's car. At the time, Mr. Scullin was eleven years old. Furfaro patted Mr. Scullin on the butt, showed him large replicas of male genitalia, and grabbed Mr. Scullin's penis.
8. Mr. Scullin brings this lawsuit to recover for the emotional and physical suffering he has suffered due to the negligence of the Diocese and to make sure no other child is forced to suffer the abuse and physical and mental trauma he felt and continues to feel.

PARTIES

9. At all times herein mentioned defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** was a not for profit corporation incorporated in the State of New York and by virtue of the laws of the State of New York.
10. At all times herein mentioned, defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** was located at 240 E. Onondaga Street, Syracuse, New York 13202.

11. At all times herein mentioned, Quaid was a priest operating under the direction and control of defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE**, and its agents, servants and/or employees.
12. At all times herein mentioned, Quaid was an agent, servant and/or employee of defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE**.
13. At all times herein mentioned, defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** controlled and/or operated at St. Mary's Roman Catholic Church located at 103 W 7th St, Oswego, NY 13126.
14. At all times herein mentioned, defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** controlled and/or operated at St. Joseph's Catholic Church located at 240 W 1st St, Oswego, NY 13126.
15. At all times herein mentioned, Furfaro was a priest operating under the direction and control of defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE**, and its agents, servants and/or employees.
16. At all times herein mentioned, Furfaro was an agent, servant and/or employee of defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE**.
17. At all times herein mentioned, defendant **ST. MARY'S ROMAN CATHOLIC CHURCH** was a not for profit corporation incorporated in the state of New York and by virtue of the laws of the State of New York.
18. At all times herein mentioned, defendant **ST. MARY'S ROMAN CATHOLIC CHURCH** was located at 103 W 7th St, Oswego, NY 13126.
19. At all times herein mentioned, Quaid was a priest operating under the direction and control of defendant **ST. MARY'S ROMAN CATHOLIC CHURCH**, and its agents, servants and/or employees.

20. At all times herein mentioned, Quaid was an agent, servant and/or employee of defendant **ST. MARY'S ROMAN CATHOLIC CHURCH.**
21. At all times herein mentioned, defendant **ST. JOSEPH'S CATHOLIC CHURCH** was a not for profit corporation incorporated in the state of New York and by virtue of the laws of the State of New York.
22. At all times herein mentioned, defendant **ST. JOSEPH'S CATHOLIC CHURCH** was located at 240 W 1st St, Oswego, NY 13126.
23. At all times herein mentioned, Furfaro was a priest operating under the direction and control of defendant **ST. JOSEPH'S CATHOLIC CHURCH**, and its agents, servants and/or employees.
24. At all times herein mentioned, Furfaro was an agent, servant and/or employee of defendant **ST. JOSEPH'S CATHOLIC CHURCH.**
25. At all times herein mentioned, defendants **ROMAN CATHOLIC DIOCESE OF SYRACUSE, ST. MARY'S ROMAN CATHOLIC CHURCH and ST. JOSEPH'S CATHOLIC CHURCH** were agents, servants, employees and/or alter egos of each other.

FACTS OF THE CASE

26. Defendants **ROMAN CATHOLIC DIOCESE OF SYRACUSE, ST. MARY'S ROMAN CATHOLIC CHURCH and ST. JOSEPH'S CATHOLIC CHURCH's** negligence and recklessness caused Quaid and Furfaro to have access to children including on Defendant's premises, despite their reputation of being sexual predators and therefore are responsible for the injuries that Plaintiff incurred because but for Defendants **ROMAN CATHOLIC DIOCESE OF SYRACUSE, ST. MARY'S ROMAN CATHOLIC CHURCH and ST. JOSEPH'S CATHOLIC CHURCH**

negligence, Plaintiff would not have suffered the mental and physical anguish inflicted by Quaid and Furfaro. Defendants **ROMAN CATHOLIC DIOCESE OF SYRACUSE, ST. MARY'S ROMAN CATHOLIC CHURCH and ST. JOSEPH'S CATHOLIC CHURCH's** negligence support punitive liability.

27. Quaid sexually assaulted several other children at St. Mary's Church in Oswego, New York. The defendants **ROMAN CATHOLIC DIOCESE OF SYRACUSE and ST. MARY'S ROMAN CATHOLIC CHURCH** failed to remove Quaid from his position as a priest or to take any steps to keep the dangerous predator away from the children of the church.
28. Furfaro sexually assaulted several other children at St. Joseph's Church in Oswego, New York. The defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE and ST. JOSEPH'S CATHOLIC CHURCH** failed to remove Furfaro from his position as a priest or to take any steps to keep the dangerous predator away from the children of the church.
29. Every first Thursday of the month from 1957 until 1960 while Mr. Scullin was in confessional, Quaid would ask Mr. Scullin at the beginning of his confession how many times he has masturbated. Mr. Scullin would respond that he did not know what that was and then Quaid would instruct him on how to masturbate. Mr. Scullin was between the ages of eight and eleven years old.
30. Furfaro built a hut behind St. Joseph's Church rectory in Oswego with a pool table. He described it to Mr. Scullin and other young boys as a place to "hang out". Furfaro brought Mr. Scullin, then eleven years old, to the hut to play pool. Furfaro patted Mr. Scullin on his butt while they played pool. This was the first time Mr. Scullin was sexually abused by Furfaro.

31. Furfaro forced Mr. Scullin to go to the rectory of St. Joseph's Church with him and Furfaro's niece. While there, Furfaro showed Mr. Scullin a large replica of male genitalia which made Mr. Scullin very awkward and uncomfortable.
32. On another occasion, Furfaro was driving Mr. Scullin during a snow storm and Furfaro forcefully grabbed Mr. Scullin's penis. As Furfaro held Mr. Scullin's penis he said "its all mine now".
33. Due to the sexual abuse that Mr. Scullin suffered at the hands of Quaid and Furfaro under the scope of their employment with the Diocese, Mr. Scullin remains unable to return to church for any reason.
34. As such, Plaintiff suffered catastrophic and lifelong injuries as a result of defendants **ROMAN CATHOLIC DIOCESE OF SYRACUSE, ST. MARY'S ROMAN CATHOLIC CHURCH and ST. JOSEPH'S CATHOLIC CHURCH** negligence in undertaking a duty to keep patrons, including young children, of its parishes safe from predators and failing to act in accord with that duty by allowing Quaid and Furfaro, known predators, to continue their role where they would continue to have the opportunity to prey on young children.

AS FOR A FIRST CAUSE OF ACTION FOR NEGLIGENCE

AGAINST ARCHDIOCESE OF NEW YORK

35. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 34. inclusive, with the same force and effect as if hereinafter set forth at length.
36. At all times mentioned herein, defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** owed a duty of care, including but not limited to in locis parentis, to keep

the children of its parish safe from sexual abuse by its clergymen under its supervision and control that ultimately befell the Plaintiff.

37. At all times mentioned herein, defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted.
38. As a result of the negligence of defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** and/or its agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
39. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
40. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
41. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
42. This action falls within exceptions to Article 16 of the C.P.L.R.

AS FOR A SECOND CAUSE OF ACTION FOR NEGLIGENCE

AS TO ST. MARY'S ROMAN CATHOLIC CHURCH

43. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 42., inclusive, with the same force and effect as if hereinafter set forth at length.

44. At all times mentioned herein, defendant **ST. MARY'S ROMAN CATHOLIC CHURCH** owed a duty of care including but not limited to in locis parentis to keep the children of its parish safe from sexual abuse by its clergymen under its supervision and control, including on company premises, that ultimately befell the Plaintiff on Church's premises, and they had a duty to supervise Quaid.
45. At all times mentioned herein, defendant **ST. MARY'S ROMAN CATHOLIC CHURCH** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted.
46. As a result of the negligence of defendant **ST. MARY'S ROMAN CATHOLIC CHURCH** and/or its agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
47. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
48. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
49. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
50. This action falls within exceptions to Article 16 of the C.P.L.R.

AS FOR A THIRD CAUSE OF ACTION FOR NEGLIGENCE

AS TO ST. JOSEPH'S CATHOLIC CHURCH

51. Plaintiffs repeat, reiterate and reallege each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 50., inclusive, with the same force and effect as if hereinafter set forth at length.
52. At all times mentioned herein, defendant **ST. JOSEPH'S CATHOLIC CHURCH** owed a duty of care including but not limited to in locis parentis to keep the children of its parishes safe from sexual abuse by its clergymen under its supervision and control, including on company premises, that ultimately befell the Plaintiff on Church's premises, and they had a duty to supervise Furfaro.
53. At all times mentioned herein, defendant **ST. JOSEPH'S CATHOLIC CHURCH** and/or its agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, and caused Plaintiff to be sexually assaulted.
54. As a result of the negligence of defendant **ST. JOSEPH'S CATHOLIC CHURCH** and/or its agents, servants and/or employees, plaintiff was caused serious personal injuries, emotional distress, mental pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
55. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
56. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
57. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

58. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A FOURTH CAUSE OF ACTION FOR NEGLIGENT HIRING,
RETENTION AND SUPERVISION AS TO THE ROMAN CATHOLIC DIOCESE OF
SYRACUSE**

59. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 58., inclusive, with the same force and effect as if hereinafter set forth at length.
60. Defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE**, had a duty to supervise and prevent known risks of harm to patrons of its parishes by its clergymen.
61. Defendant was negligent in hiring, retaining and supervising their personnel, such as Quaid and Furfaro, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of priests and church officials who should have properly been supervising the priests to ensure the safety of the children of the parishes.
62. Defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** knew or should have known Quaid sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it.
63. Defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** knew or should have known Furfaro sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it.
64. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental

anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

65. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
66. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
67. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
68. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A FIFTH CAUSE OF ACTION FOR NEGLIGENT HIRING,
RETENTION AND SUPERVISION AS TO ST. MARY'S ROMAN CATHOLIC
CHURCH**

69. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 68., inclusive, with the same force and effect as if hereinafter set forth at length.
70. Defendant **ST. MARY'S ROMAN CATHOLIC CHURCH**, had a duty to supervise and prevent known risks of harm to patrons of its parishes by its clergymen.
71. Defendant was negligent in hiring, retaining and supervising their personnel, such as Quaid, who was careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of priests and church officials who should have properly been supervising the priests to ensure the safety of the children of the parishes.

72. Defendant **ST. MARY'S ROMAN CATHOLIC CHURCH** knew or should have known Quaid sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it.
73. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
74. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
75. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
76. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
77. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR A SIXTH CAUSE OF ACTION FOR NEGLIGENT HIRING,
RETENTION AND SUPERVISION AS TO ST. JOSEPH'S CATHOLIC CHURCH**

78. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 77., inclusive, with the same force and effect as if hereinafter set forth at length.
79. Defendant **ST. JOSEPH'S CATHOLIC CHURCH**, had a duty to supervise and prevent known risks of harm to patrons of its parishes by its clergymen.
80. Defendant was negligent in hiring, retaining and supervising their personnel, such as Furfaro, who was careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge and skill of priests and church

officials who should have properly been supervising the priests to ensure the safety of the children of the parishes.

81. Defendant **ST. JOSEPH'S CATHOLIC CHURCH** knew or should have known Furfaro sexually abused and/or had the propensity to sexually abuse children and did nothing to stop it.
82. As a result of such negligent hiring, supervising and retention, Plaintiff was caused to suffer serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.
83. By reason of the foregoing, Plaintiff is entitled to compensatory damages from defendants in such sums as a jury would find fair, just and adequate.
84. By reason of the foregoing, Plaintiff is entitled to punitive damages from defendants in such sums as a jury would find fair, just and adequate.
85. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
86. This action falls within exceptions to Article 16 of the C.P.L.R.

AS AND FOR THE SEVENTH CAUSE OF ACTION FOR NEGLIGENT INFLICTION
OF EMOTIONAL DISTRESS AS TO THE ROMAN CATHOLIC DIOCESE OF
SYRACUSE

87. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 86., inclusive, with the same force and effect as if herein set forth at length.
88. Defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** and their agents, servants and/or employees, knew or reasonably should have known that the failure to

properly advise, supervise and hire Quaid, the priest who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.

89. Defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Furfaro, the priest who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.

90. Defendant **ROMAN CATHOLIC DIOCESE OF SYRACUSE** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.

91. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Quaid and Furfaro.

92. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted Quaid and Furfaro sexually abusing Plaintiff.

93. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

94. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR THE SEVENTH CAUSE OF ACTION FOR NEGLIGENT INFLECTION
OF EMOTIONAL DISTRESS AS TO ST. MARY'S ROMAN CATHOLIC CHURCH**

95. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 94., inclusive, with the same force and effect as if herein set forth at length.

96. Defendant **ST. MARY'S ROMAN CATHOLIC CHURCH** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Quaid, the priest who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
97. Defendant **ST. MARY'S ROMAN CATHOLIC CHURCH** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Furfaro, the priest who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
98. Defendant **ST. MARY'S ROMAN CATHOLIC CHURCH** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.
99. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Quaid.
100. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted Quaid sexually abusing Plaintiff.
101. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
102. This action falls within exceptions to Article 16 of the C.P.L.R.

**AS AND FOR THE SEVENTH CAUSE OF ACTION FOR NEGLIGENT INFLICTION
OF EMOTIONAL DISTRESS AS TO THE ST. JOSEPH'S CATHOLIC CHURCH**


103. Plaintiff repeats, reiterates and realleges each and every allegation contained in those paragraphs of this Complaint marked and designated 1. through 102., inclusive, with the same force and effect as if herein set forth at length.

104. Defendant **ST. JOSEPH'S CATHOLIC CHURCH** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Furfaro, the priest who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
105. Defendant **ST. JOSEPH'S CATHOLIC CHURCH** and their agents, servants and/or employees, knew or reasonably should have known that the failure to properly advise, supervise and hire Furfaro, the priest who sexually abused Plaintiff, would and did proximately result in physical and emotional distress to Plaintiff.
106. Defendant **ST. JOSEPH CATHOLIC CHURCH** and their agents, servants and/or employees knew or reasonably should have known that the sexual abuse and other improper conduct would and did proximately result in physical and emotional distress to Plaintiff.
107. Defendant has the power, ability, authority and duty to intervene with and/or stop the improper conduct that resulted in Plaintiff being sexually abused by Furfaro.
108. Despite said knowledge, power and duty, defendant negligently failed to act so as to stop, prevent, and prohibit the improper conduct that resulted Furfaro sexually abusing Plaintiff.
109. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.
110. This action falls within exceptions to Article 16 of the C.P.L.R.

WHEREFORE, plaintiffs demand judgement against defendants in such sum as a jury would find fair, adequate and just.

Dated: New York, New York
August 14, 2019

MERSON LAW, PLLC

By: 
Jordan K. Merson
Sarah R. Cantos
Attorneys for Plaintiff
150 East 58th Street 34th Floor
New York, New York 10155
(212) 603-9100

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF OSWEGO

Index No.:

_____/19

-----X
J. PAUL SCULLIN III,

Plaintiff,

-against -

**ATTORNEY
VERIFICATION**ROMAN CATHOLIC DIOCESE OF SYRACUSE, ST.
MARY'S ROMAN CATHOLIC CHURCH and ST.
JOSEPH'S CATHOLIC CHURCH,Defendants.
-----X

JORDAN K. MERSON, an attorney duly admitted to practice in the Courts of New York State, and a member of the firm MERSON LAW, PLLC., attorneys for the plaintiffs in the within action, hereby affirms under penalty of perjury:

That he has read the within complaint and knows the contents thereof, and that the same is true to his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true.

That the sources of his information and knowledge are investigations and records in the file.

That the reason this verification is made by affirmant and not by the plaintiff is that the plaintiff is not within the County where the attorney has his office.

Dated: New York, New York
August 14, 2019

_____
JORDAN K. MERSON

Index No.

Year 2019

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF OSWEGO

J. PAUL SCULLIN III,

Plaintiff,

-against -

ROMAN CATHOLIC DIOCESE OF SYRACUSE, ST. MARY'S
ROMAN CATHOLIC CHURCH and ST. JOSEPH'S
CATHOLIC CHURCH,

Defendants.

SUMMONS AND VERIFIED COMPLAINT

Merson Law, PLLC.

Attorneys for Plaintiff(s)

Office and Post Office Address, Telephone

150 East 58th Street 34th Fl.
New York, New York 10155
(212) 603-9100

To: All Parties
